UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

CHRISTOS KAKALETRIS,	§	
	§	
	§	
Plaintiff,	§	
	§	
V.	§	C.A. No. 3:17-CV-160
	§	
CARNIVAL CORPORATION,	§	
	§	
	§	
Defendant.	§	JURY DEMANDED

PLAINTIFF'S ORIGINAL COMPLAINT

TO OUR HONORABLE DISTRICT COURT JUDGE:

Plaintiff Christos Kakaletris files this Original Complaint against Defendant Carnival Corporation, and would respectfully show the following:

■ ***PARTIES*** ■

1.1 Christos Kakaletris ("Mr. Kakaletris") is a resident of the Southern District of Texas.

1.2 Defendant CARNIVAL CORPORATION ("Carnival") is a foreign corporation operated for the purpose of accumulating monetary profit, with its principal place of business in the State of Florida. Carnival regularly does business in a systematic and continuous manner in the State of Texas. Carnival may be served with service of process upon its registered agent for service, **National Registered Agents, Inc., 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136**.

■ *JURISDICTION AND VENUE* ■

2.1 This case arises under this Court's diversity jurisdiction. Mr. Kakaletris sues for damages in excess of $75,000, and Kakaletris is a citizen of Texas and Carnival is a resident of Florida (principal place of business) and the United Kingdom (incorporation). Jurisdiction is proper in this Court under general maritime law pursuant to the "saving to suitors" clause.

2.2 Venue in this District is proper as it satisfies the requirements of 28 U.S.C. § 1391, in that Carnival conducts substantial business in and is subject to personal jurisdiction in the District of this Court. In addition, venue is proper in this District, as Mr. Kakaletris is a resident of this District and was employed by Valsamis Inc., also a resident of this District, which contracted with Carnival.

■ *FACTUAL BACKGROUND* ■

3.1. On February 25, 2016, Mr. Kakaletris, a loyal and hard-working employee of Valsamis Inc., was descending a flight of stairs on the M/V Carnival Magic, when he slipped and fell on a slick substance. As a result, he sustained serious and debilitating injuries, including a broken femur and knee. The stairs at issue were in a slippery, un-protected, defective, and unfit for their intended purpose condition at the time of the incident.

3.2. As a result of Carnival's actions and/or omissions, Mr. Kakaletris requires and is reasonably expected to continue to require medical care, loss of earnings in the past and future, and other legal injuries. Nothing Mr. Kakaletris did or failed to do caused or in any way contributed to cause the injuries sustained.

■ *FIRST CAUSE OF ACTION—NEGLIGENCE* ■

4.1. Mr. Kakaletris re-alleges and incorporates those allegations set forth in Paragraphs 1.1 through 3.2.

4.2 The acts and omissions of Carnival constitute negligence and negligence *per se* in that Carnival, acting through its employees/agents/representatives failed to act in a reasonably prudent manner, violating various laws and statutes of the United States, including the general maritime law and causing injuries to Mr. Kakaletris for which Carnival is liable.

■ *SECOND CAUSE OF ACTION—GROSS NEGLIGENCE* ■

5.1. Mr. Kakaletris re-alleges and incorporates those allegations set forth in Paragraphs 1.1 through 4.2.

5.2 The acts and omissions of Carnival, in conscious disregard of the safety of workers such as Mr. Kakaletris, also rose to the level that would constitute gross negligence, in that Carnival, acting through its employees/agents/representatives recklessly and dangerously failed to carry out its important safety obligations, justifying exemplary damages under the general maritime law of the United States.

■ *DAMAGES* ■

6.1. The negligence of Carnival caused Mr. Kakaletris to sustain actual damages. Mr. Kakaletris is entitled to be compensated for the personal injuries and damages sustained, as well as the resulting legal damages. Mr. Kakaletris has sustained physical pain and mental anguish and in reasonable probability will continue to suffer physical pain and mental anguish in the future. Mr. Kakaletris has suffered and in reasonable probability will continue to suffer physical impairment and disfigurement in the future. Mr. Kakaletris has suffered a loss of earning capacity in the past and in reasonable probability is expected to suffer a loss of earning capacity in the future. Because of the nature and severity of the injuries, Mr. Kakaletris required medical treatment in the past and will, in reasonable probability, require additional medical treatment in the future. Charges for such medical treatment that have been made in the past and those which will in reasonable probability be made in the future have been and will be reasonable charges made necessary by the occurrence in question.

6.2 Further, Mr. Kakaletris is entitled to exemplary damages due to Carnival's gross negligence.

6.3 As a result of Carnival's acts and/or omissions, Mr. Kakaletris has sustained damages in excess of the minimum jurisdictional limits of this Court.

6.4 Mr. Kakaletris is entitled under law to the recovery of prejudgment and post-judgment interest at the maximum legal rate.

WHEREFORE, PREMISES CONSIDERED, Mr. Kakaletris prays that upon final trial herein, Mr. Kakaletris recover the damages as specified above from Defendant, plus costs of Court, pre-judgment and post-judgment interest at the legal rate, and such other and further relief, general and special, at law and in equity, to which Plaintiff may show himself justly entitled under the facts and circumstances.

Respectfully submitted,

DOYLE LLP
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JURY DEMAND

Mr. Kakaletris hereby demands a trial by jury and tenders the necessary fee, a right enshrined in the Constitution of the United States of America and the State of Texas and preserved by the sacrifices of many. The necessary jury fee has been paid.

MICHAEL PATRICK DOYLE